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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/183,380	10/30/1998	EVERT M. BOSMA	PHN-16-611	3061

7590 06/05/2003

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EXAMINER

TRAN, CON P

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 06/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/183,380

Applicant(s)

BOSMA ET AL.

Examiner

Con P. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoopes U.S. Patent 6,058,171 in view of Abe et al. U.S. Patent 5,781,588.

Regarding **claim 1**, Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) a wire-bound telecommunication device comprising terminals for coupling the device to a subscriber line (115, 120) of a telecommunication network, a transmission circuit (210),<sup>Col. 5<sub>1</sub></sup> and a signal detecting arrangement (100), that is configured to determine a time-domain signal on the subscriber line in a time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

However, Hoopes does not explicitly disclose:

signal detecting arrangement is a signal energy detecting arrangement that is configured to determine a time-domain signal representing signal energy of a substantial entirety of the signal on the subscriber line in a predetermined time interval. Thus one of ordinary skill would have been motivated to seek a signal energy detecting

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arrangement embodiment in order to detect signal energy of an actual working arrangement taught by Hoopes. Such embodiments would have been any known signal energy detector such as one of Abe et al. in the same field of endeavor.

Abe et al. teaches a frequency shift keyed signal receiver (see Fig. 11, 32, 33, 34, and respective portions of the specification; col. 10, lines 64-65) comprises:

mean peak detector 2301 (see col. 33, lines 55-58) that is configured to determine a time-domain signal (Fig. 32) representing signal energy of a substantial entirety of the signal on the subscriber line in a predetermined time interval (col. 34, lines 23-40) for the purpose of generating and outputting a signal representing a mean value of peak of the signal as a reference voltage (see col. 34, lines 34-35) .

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes reference a mean detector as taught by Abe et al. since such combination would have generated and output a signal representing a mean value of peak of the signal as a reference voltage, as suggested by Abe et al. in column 34, lines 34-35.

Regarding **claim 2**, Hoopes further teaches (see Fig. 1 and respective portions of the specification) the signal energy is determined cyclically (see col. 2, lines 55-65).

Regarding **claim 3**, Hoopes further teaches (see Fig. 2 and respective portions of the specification) the signal energy determination is initiated by a trigger pulse (see col. 2, line 66 – col. 3, line 10).

Regarding **claim 4**, Hoopes further teaches (see Fig. 3, 4, 5 and respective portions of the specification) the telecommunication device operates according to a given signal protocol, the signal energy being determined during at least one predetermined expected signal interval (see col. 3, lines 25-46).

Regarding **claim 5**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal protocol is a caller identification signal protocol and the expected signal interval comprises a tone alerting signal (see col. 2, lines 55-65).

Regarding **claim 6**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal energy determination is continued until a further expected signal interval comprising a caller identification signal (see col. 2, lines 55-65).

Regarding **claim 7**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) a caller identification signal detector is initiated by an initiating pulse, which is generated a predetermined time after the detection of the tone alerting (see col. 2, line 55 – col. 3, line 10).

Regarding **claim 10**, Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) circuit for use in a wire-bound telecommunication device comprising terminals for coupling the device to a subscriber line (115, 120) of a telecommunication network, a transmission circuit (210), the circuit comprising: a signal detecting

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arrangement that is configured to determine a signal on the subscriber line in a time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

However, Hoopes does not explicitly disclose:

signal detecting arrangement is a signal energy detecting arrangement that is configured to determine a time-domain signal representing signal energy of a substantial entirety of the signal on the subscriber line in a predetermined time interval. Thus one of ordinary skill would have been motivated to seek a signal energy detecting arrangement embodiment in order to detect signal energy of an actual working arrangement taught by Hoopes. Such embodiments would have been any known signal energy detector such as one of Abe et al. in the same field of endeavor.

Abe et al. teaches a frequency shift keyed signal receiver (see Fig. 11, 32, 33, 34, and respective portions of the specification; col. 10, lines 64-65) comprises:

mean peak detector 2301 (see col. 33, lines 55-58) that is configured to determine a signal (Fig. 32) representing signal energy of a substantial entirety of the signal on the subscriber line in a predetermined time interval (col. 34, lines 23-40) for the purpose of generating and outputting a signal representing a mean value of peak of the signal as a reference voltage (see col. 34, lines 34-35) .

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes reference a mean detector as taught by Abe et al. since such combination would have generated and output a signal representing a mean value of peak of the signal as a reference voltage, as suggested by Abe et al. in column 34, lines 34-35.

5. **Claims 8 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoopes U.S. Patent 6,058,171 in view of Abe et al. U.S. Patent 5,781,588, and further in view of Rosen et al. U.S. Patent 5,864,607.

Regarding **claim 8**, Hoopes in view of Abe et al. teaches a wire-bound telecommunication device as recited in claim 7, However, Hoopes and Abe et al. in combination does not explicitly disclose the initiation pulse controls switching of an impedance parallel to the subscriber line. Thus one of ordinary skill would have been motivated to seek an initiation pulse controls switching of an impedance parallel to the subscriber line to provide an embodiment of an actual working arrangement taught by Hoopes. Such embodiments would have been any known signal energy detector such as one of Rosen et al. in the same field of endeavor.

Rosen et al. teach (see Fig. 5, 6A, 6B and respective portions of the specification) an initiation pulse controls switching of an impedance parallel to the subscriber line (see col. 9, lines 25-55) so that the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone (see col. 1, lines 19-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes and Abe et al. in combination an initiation pulse that controls switching of an impedance parallel to the

subscriber line (see col. 9, lines 25-55) as taught by Rosen et al. since such combination would have provided the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone as suggested by Rosen et al. in column 1, lines 19-23.

Regarding **claim 9**, Rosen et al. further teach (see Fig. 5, 6A, 6B and respective portions of the specification) the energy determination is used for monitoring subscriber line load variations (see col. 9, lines 25-55).

### ***Response to Arguments***

6. Regarding 35 U.S.C. 112, first paragraph rejections of claims 1-10, Applicant's arguments are persuasive. Accordingly, rejections under 35 U.S.C. 112, first paragraph are withdrawn.

7. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new grounds of rejection.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran whose telephone number is 703-305-2341. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number 703-306-0377.

cpt CPJ  
May 30, 2003

  
FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600